

# **EXHIBIT D**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

THOMAS P. KOESTLER,

Petitioner,

v.

MARTIN SHKRELI,

Respondent.

Civil No. 16-cv-7175-RWS

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JUDGE SWEET CHAMBERS

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[REVISED PROPOSED] ORDER AND JUDGMENT

Petitioner, Thomas P. Koestler, having moved this Court for Judgment on the Pleadings pursuant to Rule 12(c) of the Federal Rules of Civil Procedure and Sections 6 and 9 of the Federal Arbitration Act, 9 U.S.C. § 1, (a) confirming the Final Award for Arbitration dated August 2, 2016 (“Final Award”), and (b) entering Judgment thereon; and the Petitioner having duly come to be heard before this Court; and upon reading the Petition, dated September 2, 2016, and the Exhibits attached thereto, and the Answer to the Petition, and after due deliberation,

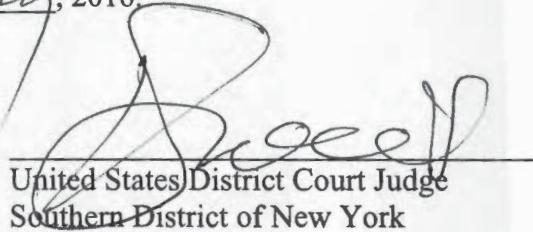
Now, upon application of Steven C. Bennett, attorney for Petitioner Dr. Koestler, it is hereby

**ORDERED, ADJUDGED AND DECREED** that the Final Award (a copy of which is annexed hereto) is confirmed; and it is further

**ORDERED, ADJUDGED AND DECREED** that Judgment be entered on behalf of Petitioner, Dr. Koestler, and against Respondent, Martin Shkreli, in the amount of \$2,614,930.

**ORDERED, ADJUDGED AND DECREED** that Petitioner Dr. Koestler shall recover the costs and disbursements of this proceeding.

This is the 6<sup>th</sup> day of January, 2016.

  
United States District Court Judge  
Southern District of New York

JUDGMENT ENTERED:

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Clerk of the Court